

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Toshiya KISHIDA, et al.

Application No.:

Group Art Unit:

Filed: December 5, 2003

Examiner:

For: VARIABLE OPTICAL ATTENUATOR

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.

2. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is

(Check appropriate Items 2a, 2b, 2c and/or 2d)

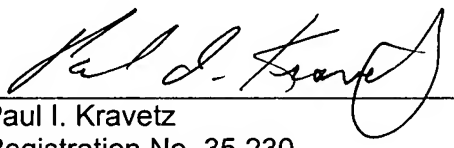
- 2a. ☐ satisfied because all non-English language publications were cited on the enclosed "English-language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, pp. 600-100 to 600-101, Rev. 1, Feb. 2000.)
- 2b. ☐ set forth in the application.

- 2c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 2d. ☒ enclosed as Attachment 1(e), hereto.
3. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

Respectfully submitted,

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i>	ATTORNEY DOCKET NO. 1075.1239	APPLICATION NO.
	FIRST NAMED INVENTOR Toshiya KISHIDA, et al.	
	FILING DATE December 5, 2003	GROUP ART UNIT

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	6,282,361	8/28/01	Nishimura, et al.	385	140	12/14/99
	AB						
	AC						
	AD						
	AE						
	AF						

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	2000-180803	6/30/00	Japan				X
	AH	JP 63201815	8/19/88	Japan			Abst	
	AI							
	AJ							
	AK							
	AL							

### OTHER REFERENCES (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

	AM	
	AN	
	AO	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

**ATTACHMENT 1(e)**

<b>EXPLANATIONS OF RELEVANCY OF REFERENCES</b>	ATTORNEY DOCKET NO. 1075.1239	APPLICATION NO.
	FIRST NAMED INVENTOR Toshiya KISHIDA, et al.	
	FILING DATE December 5, 2003	GROUP ART UNIT

Reference AG, JP 2000-180803 corresponds to reference AA, U.S. Patent 6,282,361, issued August 28, 2001.